

DISCUSSION

Applicant states in their present petition that a declaration and power of attorney was received at the United States Patent and Trademark Office on 15 November 2006. A review of the present application reveals that the declaration is not located therein. Section 503 of the Manual of Patent Examining Procedure under the heading "RETURN POSTCARD" states, in part:

"A postcard receipt which itemizes and properly identifies the papers which are being filed serves as prima facie evidence of receipt in the PTO of all the items listed thereon on the date stamped thereon by the PTO."


Here, applicant has provided a copy of their date-stamped filing receipt. The receipt identifies the application by applicant, title of invention, serial number, and attorney docket number. The receipt itemizes a declaration of the inventor. The receipt is stamped "Rec'd PCT/PTO 15 November 2006" across its face is sufficient to indicate that the above items were in fact received in the Office on 15 November 2006.

CONCLUSION

Applicant's petition under 37 CFR 1.181 is GRANTED.

This application will be given an international filing date of 17 February 2004 and a date of **15 November 2006** under 35 U.S.C. 371.

The application is being returned to the United States Designated/Elected Office for further processing in accordance with this decision.



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